IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE.

WRIT PETITION NO. 5397 OF 2004

Pandurang Chandrakant Khopatkar ..... Petitioner.

versus

State of Maharashtra and ors ..... Respondents.

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Shri R.K. Mendadkar for the petitioner.
Shri C.R. Sonawane AGP for the State.

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CORAM ; V.G.PALSHIKAR &
MRS. RANJANA DESAI, JJ.

DATED; 23RD AUGUST, 2004.

P.C.;

1. By this petition, the petitioner impugned the order passed by the Caste Scrutiny Committee upholding the orders passed by the Sub Divisional Officer rejecting the petitioner's application for grant of caste certificate.

2. While making order by denying caste certificate to the petitioner, reasons are given by the authority concerned. This aspect along with the entire evidence produced by the petitioner was again considered by the Caste Scrutiny Committee and on careful appreciation and re-appreciation of the evidence had come to the conclusion that it concures with the finding recorded by the issuing authority and therefore the appeal was

dismissed. Relying on a judgment of this court, it is contended by the learned counsel for the petitioner that the matter should be sent back for grant of certificate by the issuing authority and that certificate so issued should be got scrutinised from the Caste Scrutiny Committee in the light of the observations made therein. The directions issued in this judgment are not applicable to the facts of the present case. In this case the application is rejected and rejection is upheld by the appellate authority. There is adequate consideration of material before the appellate committee. Merely because certificate by certificate or documents by documents reasons are not stated, cannot be a ground for setting aside the appellate order. It is established principle of law when appellate authority concures with the original authority, reasons for concurrent are required to be stated and no further findings are required to be given. Hence there is no substance in this petition.

Petition is dismissed.

C.C. expedited.

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